IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FOURTEENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 2446 of 2005

Between:

S. Bhanuprasa, S/o. Venkataratnam,
R/o. D.No. 70-6-26, Koneruvari Street, Patamata, Vijayawada.

..... PETITIONER

AND

1 The District Level Committee for Sand Auction, Rep. by its Chairman, Zilla

Parishad Compound, Machilipatnam, Krishna District.
2 The District Panchayat Officer-Cum- Member Convenor, District Level

Committee, Machilipatnam, Krishna District.
3 The Mandal Revenue Officer, Pamidimukkala Mandal, Krishna District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ, order or direction, more particularly one in the nature of Writ of Mandamus, declaring the action of respondents 1 and 2 in not extending the lease period of Lankapalli Reach, Pamidimukkala Mandal, Krishna District, pursuant to the confirmation order dated 23-2-2004 as arbitrary, illegal, discriminatory and violative of the Fundamental Right guaranteed under Article 19(1) (g) of theConstitution of India and consequently direct the respondent to permit the petitioner to conduct quarry operations for a period of 93 days and pass such other order or orders

Counsel for the Petitioner:MR.C.V.MOHAN REDDY

Counsel for the Respondent No.: GP FOR PANCHAYAT RAJ & RURAL DEV.

The Court made the following :

O R D E R:

The writ petition is filed aggrieved by the alleged in action on the part of the respondents 1 and 2 in extending the lease period for quarrying sand from Lankapalli Reach, Pamidimukkala Mandal.

As can be seen from the material on record, the petitioner has made a representation dated 10-01-2005 requesting the 1st and 2nd respondents to extend the lease and to permit him to carry on quarry operations in the said Reach. The petitioner states that the representations are still pending.

In the circumstances, without expressing any opinion with regard to the entitlement of the petitioner for extension of lease as sought by him, the writ petition is disposed of with a direction to the 1st and 2nd respondents to consider the application dated 10-01-2005 made by the petitioner for extension of lease and to pass appropriate orders in accordance with law as expeditiously as possible preferably within a period of two weeks from the date of receipt of a copy of the order. No costs.

Dt.14-02-2005

G.ROHINI, J

*MJL

To

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3 The Mandal Revenue Officer, Pamidimukkala Mandal, Krishna District.

4. 2 CCS to G.P. for Panchayat Raj&Rural Development, High court

Buildings,Hyderabad.

5. 2 CD copies.